IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 8TH MARCH 2007 / 17TH PHALGUNA 1928

Bail Appl..No. 1382 of 2007

CMP.741/2007 of J.M.F.C.-I,THAMARASSERY
CRIME NO.66/2007 OF KODUVALLY POLICE STATION

.....

PETITIONER

P.K.SHAMSUDHEEN, PADINJARAMKANDIYIL HOUSE, KIZHAKKOTH AMSOM, THAMARASSERY.

BY ADV. SRI.K.A.SALIL NARAYANAN

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1382/2007

Dated this 8th day of March, 2007

O R D E R

The petitioner, who is the sole accused in Crime No.66/2007 of Koduvally Police Station for offences punishable under Sections 420 and 376 IPC for allegedly ravishing thirty year old defacto complainant in the night of 9.1.2007, seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer for interrogation and potency test and then to have his application for regular bail considered by the Magistrate having jurisdiction. Accordingly, the petitioner is directed to surrender before the Investigating Officer on any day between 14.3.2007 and 16.3.2007 for the purpose of interrogation, potency test etc. Thereafter, the petitioner shall be produced on the same day before the Magistrate concerned. The

Magistrate shall consider and dispose of the application, if any, filed by the petitioner for regular bail preferably on the same day on which it is filed.

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs